

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Julie Muncy, et al.,  
d/b/a Divide Carry Out,

Plaintiff(s),

vs.

United States Liability Insurance Company,

Defendant(s).

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: Case Number: 1:13cv830  
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: Judge Susan J. Dlott  
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ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on June 18, 2015 a Report and Recommendations (Doc. 46). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 47) and defendants filed a response to the objections (Doc. 49).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, the United States Liability Insurance Company's motion to dismiss plaintiff Stephen Muncy's claims against it for lack of standing (Doc. 28) is GRANTED. The parties' motions for summary judgment (Docs. 24 and 28) are DENIED in all other respects as there are material facts in dispute that must be resolved.

IT IS SO ORDERED.

s/Susan J. Dlott  
Judge Susan J. Dlott  
United States District Court